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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,576	08/29/2001	Yoshinori Suzuki	HITA.0102	5017

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EXAMINER

LAMARRE, GUY J

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,576

Applicant(s)

SUZUKI ET AL.

Examiner

Guy J. Lamarre

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 oct. 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- * This office action is in response to Applicants' Amendment of 26 October 2005.
- * The Examiner gratefully acknowledges Applicants' cooperation in trying to expedite prosecution of instant application.
- * **Claims 17-19 are amended;** **Claims 17-22 remain pending.**
- * The rejections under 35 USC 112 and objections of record are withdrawn in response to Applicants' amendment.

Claim Objections

1. **Claim 21** recites 'weather' instead of 'whether.' Claims 19-20 recite 'error interval' instead of 'information.' Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2.1 **Claims 17-22** are rejected under 35 U.S.C. 102(b) as being anticipated by **Lane** (US Patent No. 5956102).

As per Claims 17-22, Lane discloses an equivalent packet correction method, e.g., col. 6 line 49 et seq., wherein '*an MPEG compliant packet stream is constructed from a received MCNS packet stream with an error indicator signal being included near the start of the generated MPEG transport packets to indicate whether or not the transport packet includes errors.*' When errors are present, forward error correction steps (col. 5 line 35) are performed using Reed-Solomon coding means at col. 8 line 17 et seq., e.g., '*an MPEG sync byte, e.g., a byte having the value of 47 HEX, is inserted as the first byte of each data packet. In addition, the*

CRC syndrome output is checked to determine if the corresponding packet data included errors. If the CRC syndrome byte indicates that the packet data being processed includes errors, the sync byte/error indicator signal is set to a value that will cause the combining circuit to set the first bit of the corresponding packet header to indicate that the delayed packet data being processed by the combining circuit is erred. In this manner, an MPEG compliant packet stream is constructed from a received MCNS packet stream with an error indicator signal being included near the start of the generated MPEG transport packets to indicate whether or not the transport packet includes errors'

As per Claim 17, Lane discloses an equivalent packet correction method comprising: inputting MPEG compliant or coding syntax data stream (Figs. 1-2); detecting via 1st byte of a header information about error position (col. 1 line 50 et seq.); generating CRC or detection coding for such information (col. 1 line 50 et seq.); outputting such data stream and detection coding for correction via, e.g., a Reed Solomon coding feature at col. 8 line 17 et seq.

As per Claim 18, Lane discloses equivalent packet correction method comprising: inputting MPEG compliant or coding syntax data stream (Figs. 1-2); detecting via 1st byte of a header information about error position (col. 1 line 50 et seq.); generating CRC or detection coding for such information (col. 1 line 50 et seq.); outputting such data stream and detection coding for correction via, e.g., deleting errored data stream and requesting retransmission of said MPEG compliant or coding syntax data stream at col. 5 line 35 et seq., or via Reed Solomon coding at col. 8 line 17 et seq.

As per Claim 19, Lane discloses equivalent packet correction method comprising: inputting MPEG compliant or coding syntax data stream (Figs. 1-2); detecting via 1st byte of a header information about error position (col. 1 line 50 et seq.); generating CRC or detection coding for such information (col. 1 line 50 et seq.); outputting such data stream and detection coding for

Art Unit: 2133

correction via, e.g., deleting errored data stream and requesting retransmission of said MPEG compliant or coding syntax data stream at col. 5 line 35 et seq., or via Reed Solomon coding at col. 8 line 17 et seq.

As per Claim 20 Lane discloses equivalent packet correction method comprising: inputting MPEG compliant or coding syntax data stream (Figs. 1-2); detecting via 1st byte of a header information about error position (col. 1 line 50 et seq.); generating CRC or detection coding for such information (col. 1 line 50 et seq.); outputting such data stream and detection coding for correction via, e.g., deleting errored data stream and requesting retransmission of said MPEG compliant or coding syntax data stream and substituting/replacing said retransmitted data stream for the errored data stream at col. 5 line 35 et seq., or via Reed Solomon coding at col. 8 line 17 et seq., data stream made of video packets or macroblocks.

As per Claim 21, Lane discloses equivalent packet correction method comprising: inputting MPEG compliant or coding syntax data stream (Figs. 1-2); detecting via 1st byte of a header information about error position (col. 1 line 50 et seq.); generating CRC or detection coding for such information (col. 1 line 50 et seq.); outputting such data stream and detection coding for correction via, e.g., deleting errored data stream and requesting retransmission of said MPEG compliant or coding syntax data stream and substituting/replacing said retransmitted data stream for the errored data stream at col. 5 line 35 et seq., or via Reed Solomon coding at col. 8 line 17 et seq., data stream made of video packets or macroblocks; packet sync/position means for 1st frame/stream in Figs. 1-2.

As per Claim 22, Lane discloses equivalent packet correction method comprising: inputting MPEG compliant or coding syntax data stream (Figs. 1-2); detecting via 1st byte of a header information about error position (col. 1 line 50 et seq.); generating CRC or detection coding for such information (col. 1 line 50 et seq.); outputting such data stream and detection coding for

Art Unit: 2133

correction via, e.g., deleting errored data stream and requesting retransmission of said MPEG compliant or coding syntax data stream and substituting/replacing said retransmitted data stream for the errored data stream at col. 5 line 35 et seq., or via Reed Solomon coding at col. 8 line 17 et seq., data stream made of video packets or macroblocks; packet sync/position means for 1st frame/stream in Figs. 1-2, wherein macroblock is corrected via identification of a flag or error indication means at col. 6 line 62 et seq.

Conclusion

* Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

* Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (571) 273-8300 for all formal communications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guy J. Lamarre, P.E., whose telephone number is (571) 272-3826. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

Art Unit: 2133

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (571) 272-3819.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3609.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Guy J. Lamarre, P.E
Primary Examiner
1/8/2006
